



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 455 Dispur, Thursday, 28th September, 2023, 6th Asvina, 1945 (S. E.)

GOVERNMENT OF ASSAM

REAL ESTATE REGULATORY AUTHORITY, ASSAM

NOTIFICATION

The 4th January, 2023

No. RERA/ASSAM/Regulation/2022/10.- Whereas Section 32 of the Real Estate (Regulation and Development) Act, 2016 provides for functions of the Real Estate Regulatory Authority for promotion and regulation of the real estate sector. Sub-Section (g) of Section 32 provides for facilitation amicable conciliation of disputes between the promoter and the allottees through dispute settlement forums set up by the consumer or promoter associations;

Now, therefore, in exercise of the power conferred under Section 85 of the Real Estate (Regulation and Development) Act, 2016 and powers enabling it on that behalf, the Real Estate Regulatory Authority, Assam hereby makes the following regulations for implementation of the above mentioned functions:-

1. Short Title, objects, commencement and extent:

- a. These Regulations may be called “The Assam Real Estate Regulatory Authority (Self Regulatory organisation) Regulations, 2022.
- b. These regulations aim to encourage Self Regulatory Organisations (SRO) to ensure better compliance of the Act and to establish/procedure/measures to facilitate amicable conciliation of disputes between the promoter and the allottees through disputes settlement forums set up by the consumers or promoter associations.

- c. These regulations will come into force on the date of its notification in the official Gazette.
- d. These regulations shall apply within the jurisdiction of RERA, Assam.

2. The basic criteria for these Self – Regulatory Organisation (SRO) shall be as follows:

- a. The proposed SRO has to be a group/association/federation of promoters, which is a legal entity.
- b. The Proposed SRO should have atleast 100 RERA, Assam registered project of their members.
- c. Details of Membership fees, Duration of Membership, qualification of membership and code of conduct to be followed by the members may be decided by the respective SRO and shall be made available to their members.

3. The Functions and obligations of the Self Regulatory Organisation (SRO):

- a. The SRO shall be responsible for disseminating and encouraging its members to comply with the provisions of the R E (R&D)Act, 2016 Act and Assam RE (R&D) Rules 2017, regulations, orders or circulars issued by the Real Estate Regulatory Authority, Assam from time to time.
- b. The SRO shall be responsible for carrying out awareness and educational activities among its members.
- c. The SRO shall specify standards of conduct for its members and also shall be responsible for the implementation of the same by its members.
- d. Any information or particulars furnished to the RERA, Assam by the applicant shall be truthful and not misleading in any respect.
- e. The SRO shall provide for a dispute resolution mechanism to facilitate amicable settlement of disputes between the promoters and allottees/stakeholders upon voluntary reference by parties.
- f. The SROs shall try to work out a fair and amicable settlement between the affected parties in case of a dispute.
- g. The SRO shall furnish a six monthly report to the Authority regarding the cases received, dispute settled alongwith details.

4. Procedure for Registration:

- a. Any group or association or federation of promoters, which is desirous of being registered as a SRO with the RERA, Assam shall email their application in Form A to the Secretary, RERA, Assam at info@reraassam.org.in.
 - b. The association or federation should have a membership of atleast a hundred promoters having RERA registered projects to qualify for being registered as an SRO.
 - c. The Secretary's office shall scrutinize the application of the SRO within 7 days of the receipt of application and communicate the decision of the Authority within 30 days.
 - d. A Fee of Rs. 10,000/- to be paid online on intimation through email in Form B by the Secretary, RERA, Assam.
 - e. On payment of fees by the applicant, the Certificate for Registration shall be issued in Form C. The certificate shall be shared through email with the SRO and uploaded on RERA, Assam website.
5. Applications for registration of SROs shall be accepted by RERA, Assam from the date of publication of this Regulation in the official Gazettee.
6. The registration of SRO shall be valid for a period of five years.
- By the approval of the Real Estate Regulatory Authority, Assam.

M. N. SAIKIA,
Secretary,
Real Estate Regulatory Authority, Assam.

Form A

Application for registration/renewal of a Self-Regulatory Organisation

To

Secretary
Real Estate Regulatory Authority
Assam

Sub: Application for registration/renewal of a Self-Regulatory Organisation

Respected Sir,

I being duly authorised for the purpose, hereby apply on behalf of (Name and address of the applicant) being a company/association/ society etc. eligible to be registered as a Self-Regulatory Organisation under Real Estate Regulatory Authority, Assam.

The requisite particulars are as under:

A. Details of Applicant

- (i) Name of the Applicant _____
- (ii) Address _____
- (iii) Date of Establishment _____
- (iv) Type of Applicant : Company/Association/Society/etc.
- (v) Contact Person and details: (Name of the Person, Designation, Address, Mobile Number, E-mail)

B. Details of Members

- (i) Number of members at the time of application: _____
- (ii) Are there at least 100 promoters having RERA Registered projects among the members: Yes/No (Kindly note, RERA, Assam shall verify this data)
- (iii) Details of Membership :

Sl. No.	Membership	Minimum Qualification/ Experience	Duration of Membership	Membership Fee	Any other details
1.					
2.					
3.					

C. Details of Office Bearers

- (i) Details of Officer Bearers, Designation and Contact details of the organisation

D. Enclosed documents

- (i) Copy of Registration/Incorporation
- (ii) Copy of Code of Conduct or Guidelines or similar such document
- (iii) List of promoters having RERA Assam Registered projects among the members
- (iv) Any other document

I solemnly affirm and declare that the particulars furnished herein are correct to my knowledge and belief. I on behalf the Self-Regulatory Organisation hereby confirm that the Governing norms of our organisation are not in conflict with Rules, Regulations, Circulars and Orders of RERA, Assam. I also undertake to comply with the requirements of RERA, Assam and such other conditions and terms as specified by RERA, Assam from time to time.

Yours faithfully

Signature of authorised signatory
With name and designation

(On behalf of _____ <name of the applicant>)

Form B

Intimation of Verification of Application

To

You are hereby informed that your application for registration of SRO, has been verified and found to be complete as per terms and conditions of RERA regulations Assam

You are hereby directed to pay a Registration fee of Rs. 10,000 through online payment at following bank account

Name of Account Holder: _____

Account Type: _____

Name of Bank: _____

IFSC Number: _____

Branch Name: _____

OR

You are hereby informed that your application for Registration of SROs has been verified and found having deficiencies which required to be clarified:

1) _____

2) _____

You are directed to kindly submit revised application after addressing the above mentioned infirmities.

Place:

Dated:

Signature and Seal of the Authorised Officer:

Real Estate Regulatory Authority, Assam

Form-C

Registration Certificate for Self-Regulatory Organisation for Promoters

The registration certificate bearing No _____ is granted to _____ with its registered office at _____ as a Self-Regulatory Organisation.

This registration is valid for a period of five years commencing from _____ and ending with _____

This registration is granted subject to the following conditions namely:-

- a. The SRO shall disseminate and encourage its members to comply with the provisions of the RE (R&D) Act, 2016 and Assam Real Estate (Regulation and Development) Rules 2017, regulations, orders or circulars issued by the RERA, Assam from time to time.
- b. The SRO shall be responsible for carrying out awareness and education activities among its members.
- c. The SRO shall specify standard of conduct for its members and also shall be responsible for the implementation of the same by its members
- d. Governing norms of the SRO should not be in conflict with Rules, Regulations, Circulars and Orders of RERA, Assam
- e. The SRO shall discharge such other functions as may be specified by RERA, Assam from time to time.

Non fulfilment of the above mentioned conditions is liable for cancellation of the registration.

Dated:

Place:

Signature and seal of the Authorised Officer:

Real Estate Regulatory Authority, Assam.